

1

2 CRIMINAL COURT OF THE CITY OF NEW YORK
3 COUNTY OF NEW YORK - CRIMINAL TERM - PART AR3

4 -----X
5 THE PEOPLE OF THE STATE OF NEW YORK,

6

7

- against -

8

9

10

11 ROBERT ANGONA,

12

13

14

Defendants

15

-----X
100 CENTRE STREET
NEW YORK, NEW YORK
MAY 3, 2004

16

17

B E F O R E:

18

HONORABLE PATRICIA NUNEZ,
JUDGE.

19

A P P E A R A N C E S:

20

ROBERT MORGENTHAU, ESQ.,
DISTRICT ATTORNEY, NEW YORK COUNTY
BY: CAREY NG, ESQ.,
Assistant District Attorney

21

LEGAL AID SOCIETY

22

BY: MONICA WHITE, ESQ.,
Attorney for the defendant

23

24

DANIEL KOCHANSKI,
Official Court Reporter

25

1 THE COURT OFFICER: Docket ending 854, Robert
2 Angona.

3 The defendant is charged with Grand Larceny
4 in the second and resisting arrest.

5 The sworn complaint is signed.

6 Counsel, do you waive the reading of the
7 rights and charges but not the rights thereunder?

8 MS. WHITE: Yes.

9 THE COURT OFFICER: Did you advise your
10 client of his 190.50 rights?

11 MS. WHITE: Yes.

12 MR. NG: Your Honor, the People are filing a
13 certificate of affirmative Grand Jury action on the
14 Court.

15 The People are requesting bail in this case
16 in the amount of \$75,000 plus a 72-hour surety.

17 The People, for the record, filed a
18 certificate of affirmative Grand Jury action. The
19 People are also requesting remand in this matter.

20 The defendant worked as a bookkeeper at the
21 New York Academy of Arts for over two years, and an
22 investigation by the organization revealed that the
23 defendant had written \$40,000 in checks to a company
24 called Empire Solutions. That company in fact is owned
25 by his wife, and there are no matching invoices for any

1 of that money.

2 Your Honor, this defendant had been indicted
3 for Grand Larceny in the Second Degree.

4 Your Honor, at the time of arrest this
5 defendant refused to give his date of birth or social
6 security number.

7 Upon investigation it turned out that this
8 defendant's name is fictitious. The defendant's name
9 is John Blue. His social security number was issued in
10 1956 and was subsequently changed to another name, John
11 Blue, back in 1996.

12 This defendant currently has -- is a
13 predicate felon and faces three to six years in
14 prison.

15 THE COURT: He is a predicate felon?

16 MR. NG: My information indicates he has a
17 conviction for Larceny in 1992, Larceny and Fraud in
18 1991 and Fraud in 1981.

19 Your Honor, this defendant is currently
20 wanted by the Federal Government in Atlanta for a
21 probation violation, and that's a mail fraud case.

22 It's the People's position that this
23 defendant poses a clear flight risk. This defendant
24 ended his lease on his offices two weeks ago and
25 informed the landlord that he was leaving for

1 California and informed his co-workers he was departing
2 for California.

3 For the reasons previously stated, your
4 Honor, the People are requesting remand in this
5 matter.

6 MS. WHITE: Judge, we are asking you to
7 release Mr. Angona on his own recognizance or set much
8 more reasonable bail.

9 One of the facts the DA named is that Mr.
10 Angona allegedly gave false information to the police.
11 At the time Mr. Angona was arrested he was suffering
12 from congestive heart failure and he was arrested a
13 week ago Friday, I believe the 23rd, and spent the
14 entire last week in Cornell Hospital where he received
15 a shunt in his heart and also a pacemaker. He was in
16 the hospital the whole time, that is why I imagine that
17 the People have been able to indict him without him
18 being represented. Although he was arrested last
19 Friday, he was not arraigned until today.

20 His family is in the audience. His wife and
21 his daughter are sitting here today. They verified
22 they he lives at 405 East 54th Street, Apartment 7B,
23 and also gave a phone number.

24 Mr. Angona denies that he was involved in any
25 illegal activity at work, the Academy of Arts. He is a

1 chief financial officer there.

2 He strongly believes that the evidence will
3 show that every transaction he was involved in was
4 legal and authorized by the corporation, and if there
5 is something else going on in the corporation, it is
6 causing them to blame him.

7 I believe that the DA said he -- I asked him
8 about his record. I don't believe he is a predicate.
9 The DA said his convictions were over ten years ago. I
10 think that it is a close call in that case.

11 Because of the circumstances in this case,
12 where he did suffer greatly after his arrest, and he
13 also currently has leukemia and diabetes and he spent
14 the last week in the hospital and the People did
15 indict, perhaps legally but without the benefit of
16 being represented and not having the opportunity to
17 testify, and because he is probably not --

18 THE COURT: All right, based on the
19 representation by the People, he will be remanded.

20 Medical attention is ordered.

21 What part does this case go to, People?

22 MR. NG: Part 60, your Honor.

23

24

25

1 THE COURT: Part 60, May 17th for Supreme
2 Court Arraignment.

3

4

5

6

* * *

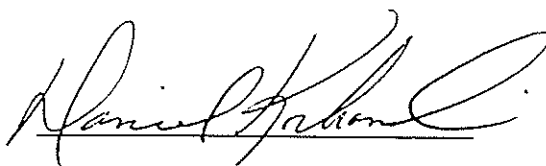
7

CERTIFIED to be a true and accurate
8 transcript of the proceedings.

9

10

11

A handwritten signature in black ink, appearing to read "Daniel Kochanski", is written over a horizontal line.

12

Daniel Kochanski,

13

Official Court Reporter

14

15

16

17

18

19

20

21

22

23

24

25